

Testimony of Richard L. Robinson, Michigan Campaign Finance Network

September 6, 2006

Mr. Chairman and Members of the Oversight, Elections and Ethics Committee:

Thank you for the opportunity to comment on this package of bills that would amend the Michigan Campaign Finance Act. In general, I wish to support the bills. However, I would like to offer some constructive criticism as well.

RE HB 6129:

The bill calls for random audits of three candidate committees, three political action committees and three ballot committees. That formula would result in a relative over-representation of ballot committees and relative under-representation of candidate committees and PACs to be audited. I recommend that the formula be amended to audit four candidate committees, four PACs and two ballot committees. Furthermore, in a candidate questionnaire administered by the Michigan Campaign Finance Network prior to this year's primary election, respondents expressed concern about genuine randomness of selection of committees to be audited. I would like to suggest that this is something that could be handled by the Michigan Lottery.

The bill also prescribes a 60 percent increase in late fees, and payment of those fees by the individual responsible for the committee, rather than the committee. I would like to suggest that fines be capped as presently defined in the bill, **or** ten percent of the amount that was not reported on time, whichever is the greater amount. I believe this option for a greater penalty would increase the incentive to file reports in a timely manner.

RE HB 6131:

The bill calls for reporting of independent expenditures by individuals within 48-hours, rather than 10 days, as required under current law. I recommend that those independent expenditures that are intended to affect elections for state candidates or state ballot issues, as opposed to local candidates or local ballot issues, be reported to the Department of State's Bureau of Elections, rather than the county clerk in which the independent spender resides.

RE HB 6134:

The bill calls for quarterly candidate campaign finance reports in non-election years and a first quarter report in election years. I recommend that these reports should be filed within 15 days of closing books, rather than 30 days as presently specified in the bill. Further, I recommend the addition of one report each year for political action committees, so there would be a January report and an April report every year. I believe this is important because of the increasing activity of state PACs in local elections, which currently goes unreported until six months after November Election Day in odd-numbered years.